

## BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation	)	
	)	
or Suspension of the Educator	)	<b>ORDER OF SUSPENSION</b>
	)	<b>(BREACH OF CONTRACT)</b>
Certificate of Jeremy D. Benjamin,	)	
	)	
Certificate 229525	)	

### SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 14, 2007. On December 14, 2006, the Office of Educator Certification sent Jeremy D. Benjamin notice of his right to a hearing regarding the possible suspension of his South Carolina educator certificate by regular and certified mail, return receipt requested, delivery restricted to addressee. Mr. Benjamin received the notice as evidenced by a postal receipt bearing his signature. Mr. Benjamin did not request a hearing within the time specified in the notice letter. After considering the information presented by the Department, the State Board voted to suspend Mr. Benjamin's certificate for one year.

### FINDINGS OF FACT

Mr. Benjamin holds an initial South Carolina educator certificate and has less than one year of teaching experience. On May 28, 2006, Mr. Benjamin signed a contract with the Pickens County School District (District) for the 2006-07 school year. He was assigned to Gettys Middle School as a seventh grade science teacher. On September 22, 2006, Mr. Benjamin submitted a letter to the District's Assistant Superintendent for Human Resources requesting that he be released from his contract. The Assistant Superintendent notified Mr. Benjamin by letter of September 26, 2006, that he would be released from his contract once the District found a suitable replacement. On October 11, 2006, Mr. Benjamin notified the District that November 3, 2006, would be his last day of work and he did not report for work after that date. The District had not yet

employed a suitable replacement. On November 27, 2006, the District Board of Trustees voted to request the suspension of Mr. Benjamin's certificate for breach of contract.

### **CONCLUSIONS OF LAW**

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient information supporting its conclusion that Mr. Benjamin breached his contract with the Pickens County School District, warranting the suspension of his certificate for a period of one year, through February 13, 2008. Should Mr. Benjamin wish to have his certificate reinstated at the end of the suspension period, he may make a written request for reinstatement to the Office of Educator Certification.

South Carolina State Board of Education

By: /S/ John E. Tindal

John E. Tindal, Chair

Columbia, South Carolina  
February 14, 2007